

1 ADAM PAUL LAXALT
Attorney General
2 Frank A. Toddre II (Bar No. 11474)
Deputy Attorney General
3 State of Nevada
Office of the Attorney General
4 555 E. Washington Avenue, Suite 3900
Las Vegas, NV 89101
5 (702) 486-3149 (phone)
(702) 486-3773 (fax)
6 ftoddre@ag.nv.gov

7 Attorneys for Defendant
James Bankston and Greg Garcia
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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 Jason Marcus Jones,

15 Plaintiff,

16 vs.

17 Warden Neven, et al.,

18 Defendants.

Case No. 2:15-cv-01720-RFB-GWF

**STIPULATION AND ORDER TO EXTEND
LITIGATION STAY AND SET NEW EARLY
MEDIATION CONFERENCE DATE**

19 Plaintiff Jason Marcus Jones, by and through Victoria Neal Esq., of Kemp & Kemp,
20 and Defendants James Bankston and Greg Garcia, by and through Adam Paul Laxalt,
21 Attorney General for the State of Nevada, and Frank A. Toddre II, Deputy Attorney
22 General, hereby stipulate to extend the current litigation stay from July 17, 2017, until
23 August 18, 2017, and request that the Early Mediation Conference be set for August 4,
24 2017 at 1:30 PM.

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. RELEVANT PROCEDURAL HISTORY**

3 On December 4, 2014, Jason Marcus Jones filed his civil rights Complaint in the
4 Eighth Judicial District Court, in proper person. The Defendants petitioned to remove
5 the action on September 8, 2015. (ECF No. 1). On February 17, 2016, the Court issued its
6 first Screening Order and allowed Plaintiff to file an Amended Complaint to correct
7 certain deficiencies in the Complaint. (ECF No. 8).

8 Jones filed a First Amended Complaint on March 30, 2016. The Court issued a
9 second Screening Order on the Amended Complaint and further ordered Counsel
10 appointed via the Federal Pro Bono Program. (ECF No. 20) On January 4, 2017, the
11 Court extended the stay indefinitely until appointment of Counsel. (ECF No. 22). On
12 May 31, 2017, the Court appointed Victoria L. Neal, Esq. and James P. Kemp, Esq. as
13 Counsel of Record. As such, the Court stayed the action *ad infinitum* until 45 days after
14 the appointment to allow the parties an opportunity to settle their dispute by way of an
15 Early Mediation Conference. Pursuant to this order, the stay is set to end on July 17,
16 2017. *Id.*

17 Due to pre-existing commitments, the parties and the Court were unable to set a
18 mutually agreeable time for the conference prior to July 17. The Court proposed
19 alternative dates and the parties are now available to conduct the Early Mediation
20 Conference on August 4, 2017. The parties communicated this mutually agreeable date
21 to the Court on June 16, 2017.

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1 **II. CONCLUSION AND REQUEST FOR RELIEF**

2 As such, the parties move to extend the litigation stay from July 17, 2017 until
3 August 18, 2017. The parties additionally request that the Early Mediation Conference be
4 set for August 4, 2017, at 1:30 PM.

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6 DATED June 20, 2017

7 KEMP & KEMP

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9 By: /s/ Victoria L. Neal

10 James P. Kemp, Esq.,
11 Nevada Bar No. 6375
12 Victoria L. Neal, Esq.
13 Nevada Bar No. 13382
14 7435 W. Azure Drive, Suite 110
Las Vegas, Nevada 89130
Attorneys for Plaintiff
Jason Marcus Jones

DATED June 20, 2017

ADAM PAUL LAXALT
Nevada Attorney General

By: /s/ Frank A. Toddre II

Frank A. Toddre II
Nevada Bar No. 11474
Deputy Attorney General
Office of the Nevada Attorney General
555 E. Washington Avenue, Suite 3900
Las Vegas, Nevada 89101
Attorneys for Defendants
James Bankston and Greg Garcia

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17 **ORDER**

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20 Dated: June 26, 2017

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23 IT IS SO ORDERED:

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26 UNITED STATES MAGISTRATE JUDGE